

ONEIDA COUNTY PLANNING & ZONING
July 1, 2009
1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2
2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Larry Greschner
Charles Wickman
Frank Greb
Ted Cushing

Department staff present: Karl Jennrich, Zoning Director
Pete Wegner, Assistant Zoning Director
Steve Osterman, Planning Manager
Nadine Wilson, Land Use Specialist
Lila Dumar, Secretary

Guests Present: (See Sign-In Sheet)

Call to order.

Chair, Scott Holewinski called the meeting to order at 1:00 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda has been properly posted, the media notified and the courthouse is handicap accessible.

Approve the agenda.

Motion by Larry Greschner, second by Frank Greb to approve the agenda. With all members present voting "aye", the motion carried.

Approve regular and public hearing meeting minutes of May 6, 2009.

Motion by Larry Greschner, Second by Ted Cushing to approve the regular and public hearing meeting minutes as presented. With all members voting "aye", the motion carried.

Section 9.78, Sign Regulations at the request of Lee Guenther, Trigs Food and Drug and the Town of Three Lakes.

Karl Jennrich, Zoning Director, read into the record a letter from Lee Guenther of Trig's Foods involving changes to the sign ordinance and Trig's Appeal to the Board of Adjustment. Mr. Guenther requested that the appeal date be moved forward, if possible. The appeal is scheduled for August 11, 2009 as originally scheduled by the Board of Adjustment. Said letter is part of the record of this meeting.

Mr. Jennrich read into the record a letter from Don Sidlowski, Town of Three Lakes Chairman involving the sign ordinance. Mr. Jennrich stated that he had met with Mr. Sidlowski in the Town of Three Lakes. Mr. Sidlowski requested that Section 9.78 be

temporarily relaxed for the Town of Lakes. Mr. Jennrich stated that the County could not do so for one township.

Mr. Sidlowski was provided with proposed language, as was the Town of Minocqua and the County has had no response from either township to date. Mr. Jennrich stated that they had also discussed the possibility of Oneida County getting out of the business of regulating either on-premise signs attached to buildings or on-premise free-standing signs. It would then be up to the town to deal with. Mr. Jennrich discussed this with Corporation Counsel. This is a major policy decision and the County would need some legal basis on which the County could do so.

Mr. Jennrich stated that there is also the possibility of creating business districts and put the signage in those districts, which would allow the towns to adopt what they want County wide.

Mr. Greschner discussed semi-trailers parked as an extra on-premise sign. The semi-trailers are parked for a month or more; or they are strategically moved from site to site. Mr. Jennrich stated that if they are parked on a permanent basis, they would have to comply with the sign ordinance.

Discussion only. No action taken.

Section 9.98, Piers, other Berth Structures. The committee will be reviewing proposed changes to Section 9.98.

Karl Jennrich, Zoning Director stated that a memo was sent to the Committee on this issue. Peter S. Wegner, Assistant Zoning Director, stated that since he mailed this to the DNR he has not received a response. Mr. Wegner stated that he had done as the Committee had directed (added drawings and language that addressed the ASNRI waters.)

Mr. Wegner stated that he had received a memo from Brian Desmond, Corporation Counsel; Mr. Desmond cited concerns related to the Chapter 30 language, which was not brought out by Tom Blake, WDNR, when he reviewed the same. Mr. Desmond was concerned that the dock configurations would not be allowed for any dock created after February 6, 2004. Mr. Wegner noted that this goes back to the size and on a non-ASNRI water it would be allowed with a permit versus the same size on an ASNRI water, a permit would not be granted.

Mr. Wegner stated that there is not a list available at this time of all the ASNRI Waters, so property owners know if they fall within that type of water body. Mr. Wegner stated that he intended to send this to Tom Blake, WDNR, for his reaction.

It was the consensus of the Committee to table this agenda item to a future meeting date when additional information is available.

Preliminary 3rd Addendum of Krause condominium on property described as part of Gov't Lot 8, Section 6, T38N, R11E, Town of Three Lakes.

Nadine Wilson, Land Use Specialist reviewed this condominium addendum. Ms. Wilson stated that this is the 3rd addendum to an existing condominium. The purpose of the addendum is to place storage garages. The condominium plat has been brought up to date to reflect permitted changes that had occurred over the years. The Town of Three Lakes had no concerns. Ms. Wilson recommended approval subject to the following:

1. Place the Oneida County Restriction Note on the bottom of the plat, which has already been done.
2. Amendment to declarations to be reviewed by department prior to recording.
3. Unit owners to use LTE garage spaces for personal use only, not for rental.

Motion by Ted Cushing, second by Larry Greschner, to approve the preliminary 3rd addendum of Krause condominium subject to the conditions outline by staff. The motion carried unanimously.

First addendum to Rustic Retreat and Condominium located in part of Gov't Lot 2, Section 10, T39N, R5E, on Shishebogama Lake, Town of Minocqua.

Steven R. Osterman, Planning Manager, reviewed this condominium addendum. Eric Johnson is present to represent the owners. Mr. Osterman stated that this addendum is a correction to partition boat storage building into 3 spaces for boat storage only. Now are Units 7A, 4A & 8A. A new building (Units 12 - 15) will be built. Unit 3 was removed and the piers/slips were re-numbered. The road inside the plat was identified as a private road by the Town. The boat slips and boat storage units are not assigned to a particular condo unit. The Town of Minocqua approved with stipulation that the boat storage units are not habitable.

Mr. Osterman recommended approval with the following conditions:

1. Boat storage units are not habitable.
2. Declarations to be reviewed and approved by the Department.
3. Statement on Plat: Zoning permits are not implied nor guaranteed.....
4. Conditional Use Permit 2003. This project to conform to CUP #03-176 conditions of approval.
5. Town concerns.
6. Boat Storage Units to be used exclusively by a condominium owner.

Motion by Larry Greschner, second by Chuck Wickman for approval of the First addendum to Rustic Retreat and Condominium subject to Town and Staff recommendations. With all members voting "aye", the motion carried. .

Preliminary plat submittal of Crescent Shores Condominium Plat Addendum 3 for property located on Crescent Lake further described as part of Government Lots 1 and 9, Section 21, T36N, R8E, Town of Crescent.

Steven R. Osterman, Planning Manager reviewed this project and is present. The surveyor, Jeff DeMuth is also present.

The condominium plat was originally approved in 2001 and was amended in 2002 and 2003. The property is zoned single family. The owners are reconfiguring the condominium plat to include additional land and to partition the waterfront, so that the property located between 0 – 100 feet from the ordinary high water mark (OHWM) would

be common and owned by all the condominium owners. The intention is for the owners to have additional land for a possible storage building or for placing a boat, for instance. There is no intention of building a home or dwelling on the additional land.

The Committee discussed key-hole access. Mr. DeMuth clarified that the condominium boundaries are not changing but the limited common element and common element are changing. The envelopes around the condominium buildings are being expanded while the original exterior boundaries of the condominium remain unchanged. The Town of Crescent has approved the plat provided that no further dwellings are constructed.

Mr. Osterman recommended approval subject to the following conditions:

1. Town of Crescent Concern that no additional dwellings shall be constructed
2. Condominium Declarations to be reviewed & approved by Department staff prior to recording in register of deeds
3. The standard Oneida County Restriction Note to be placed on the final plat.
4. Record to reflect that documentation has been accepted that there are two existing docks.

Motion by Ted Cushing, second by Larry Greschner to approve the 3rd Addendum to Crescent Shores Condominium Plat Addendum subject to staff and town recommendations. The motion carried unanimously.

Staff involvement in Mining Oversight Committee.

Karl Jennrich, Zoning Director, stated that the Department has been requested by the Mining Oversight Committee to have staff present at the Mining Oversight Committee meetings.

Motion by Ted Cushing, second by Charles Wickman to have staff attend the Mining Oversight Committee meetings. The motion carried unanimously.

The Committee will be acting on a resolution to go before the Oneida County Board of Supervisors to support AB 243, a bill to extend the timeframe to erect a Comprehensive Plan.

Karl Jennrich, Zoning Director, stated that AB 243 is a proposed bill to extend the timeframe to erect a Comprehensive Plan from 1/2/2010 to 1/1/2012. Mr. Jennrich read the resolution into the record.

Motion by Larry Greschner, second by Ted Cushing to approve the resolution supporting AB 243 and forward the resolution to the Oneida County Board of Supervisors for consideration. The motion carried unanimously.

Ordinance Amendment #1-2009, changes to chapter 13, the Oneida County Private Onsite Wastewater Treatment System (POWTS) Ordinance. The Committee will be reviewing and approving a resolution to go to the Oneida County Board of Supervisors.

Karl Jennrich, Zoning Director, stated that the committee has already approved this amendment which involves placing all POWTS on the maintenance program. Mr. Jennrich read the ordinance amendment into the record.

Motion by Ted Cushing, second by Frank Greb to approve ordinance amendment 01-2009 and forward it on to the Oneida County Board of Supervisors for consideration. The motion carried unanimously.

Line item transfers, refunds, purchase orders and bills.

Mr. Jennrich provided the bills for payment. No purchase orders or refunds were presented at this time.

Motion by Larry Greschner, second by Ted Cushing to approve the bills. The motion carried unanimously.

Approve future meeting dates: July 15, July 22 and July 29, 2009.

It was the consensus of the Committee to approve the meeting dates. No motion was made.

Public comments.

There was general discussion regarding the Comprehensive Plan and how many have been completed. The general consensus was that there a few, but not many.

Future agenda items

The Committee discussed the following:

- Long Term Tent Sales
- Short Term Tent Sales
- Sidewalk Sales
- Fewer Committee meetings
- NR115

Adjourn.

There being no further business to come before the Committee, with a motion by Ted Cushing, second by Larry Greschner, the meeting was adjourned.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director